

Officer History

Officer Name: Mezzoiuso, Gianfranco

Tax ID: [REDACTED]

Sex: M

Shield: 4313

Race: [REDACTED]

Rank: DT3

Command: 340

DOB: [REDACTED]

Appt Date: 01/10/2005

Age: [REDACTED]

Tenure: 15

CCRB #	Report Date	Incident Date	Allegation	Disposition	NYPD Disposition	NYPD Penalty	Command
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
201014533	10/22/2010	10/21/2010	Abuse - Search (of person)	Unsubstantiated			184
	10/22/2010	10/21/2010	Abuse - Stop	Unsubstantiated			184
	10/22/2010	10/21/2010	Abuse - Frisk	Unsubstantiated			184
	10/22/2010	10/21/2010	OMN - Failure to prepare a memo book entry	Other Misconduct			184
	10/22/2010	10/21/2010	Abuse - Refusal to provide name/shield number	Unsubstantiated			184
Total Charges = 14				Total Cases = 4			

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: [REDACTED]	Team: Team # 4	CCRB Case #: 201014533	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thu, 10/21/2010 2:15 PM	Location of Incident: Front of 147-15 Northern Blvd Queens, NY		Precinct: 109	S.O.L. Expires: 04/21/2012	
Date/Time CV Reported Thu, 10/21/2010 3:30 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 10/22/2010 2:03 PM		

Complainant/Victim	Type	Home Address
1. [REDACTED]	Comp/Victim	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
2. POM Gianfranco Mezzoiuso	12742	[REDACTED]	PBQN AC

Officer(s)	Allegation	Investigator Recommendation
[REDACTED]	[REDACTED]	[REDACTED]
B . POM Gianfranco Mezzoiuso	Abuse of Authority: PO Gianfranco Mezzoiuso stopped [REDACTED]	B . Unsubstantiated
[REDACTED]	[REDACTED]	[REDACTED]
D . POM Gianfranco Mezzoiuso	Abuse of Authority: PO Gianfranco Mezzoiuso frisked [REDACTED]	D . Unsubstantiated
[REDACTED]	[REDACTED]	[REDACTED]
F . POM Gianfranco Mezzoiuso	Abuse of Authority: PO Gianfranco Mezzoiuso searched [REDACTED]	F . Unsubstantiated
[REDACTED]	[REDACTED]	[REDACTED]
H . POM Gianfranco Mezzoiuso	Abuse of Authority: PO Gianfranco Mezzoiuso refused to provide his shield number to [REDACTED]	H . Unsubstantiated
[REDACTED]	[REDACTED]	[REDACTED]
J . POM Gianfranco Mezzoiuso	Other: PO Gianfranco Mezzoiuso failed to prepare a memo book entry as required.	J . Other Misconduct

Case Summary

Mr. [REDACTED] filed a complaint with IAB on October 21, 2010 (**enc. 3**), which was received by the CCRB on October 22, 2010 (**enc. 4**). He reported that on October 21, 2010, at approximately 2:15 PM, he was standing in front of 147-15 Northern Blvd, in Queens, when he was approached by PO [REDACTED] and PO Gianfranco Mezzoiuso, both assigned to Patrol Borough Queens North Anti-Crime, and identified by investigation. The following allegations resulted from the officers' actions.

- [REDACTED]
- **Allegation B- Abuse of Authority:** PO Gianfranco Mezzoiuso stopped [REDACTED]
- [REDACTED]
- **Allegation D- Abuse of Authority:** PO Gianfranco Mezzoiuso frisked [REDACTED]
- [REDACTED]
- **Allegation F- Abuse of Authority:** PO Gianfranco Mezzoiuso searched [REDACTED]
- [REDACTED]
- **Allegation H- Abuse of Authority:** PO Gianfranco Mezzoiuso refused to provide [REDACTED] with his shield number. There were no identifiable witnesses and neither officer recalled the incident; therefore, a determination of fact could not be made for any of the allegations. It is recommended that every allegation be closed as **unsubstantiated**.
- [REDACTED]
- **Allegation J – Other – Failure to prepare a memo book entry:** PO Gianfranco Mezzoiuso failed to prepare a memo book entry as required.
The UF250 indicated that Mr. [REDACTED] was stopped and frisked. PO [REDACTED] and PO Gianfranco failed to prepare a memo book entry indicating this as required by the Patrol Guide. It is therefore recommended that they be cited for **Other Misconduct**.

This complaint was not mediation eligible because an IAB spin-off complaint (201015595) was created in regards to this incident. The case was investigated by Patrol Borough Queens North, where it was case closed as unsubstantiated (**enc. 2, 14**).

On July 13, 2011, this case was returned by Panel 5B-2011 for further investigation. It was reassigned to the undersigned for additional work because Investigator Baron had resigned from the CCRB.

Results of Investigation

Civilian Statement(s)

Complainant/Victim: [REDACTED]

- [REDACTED]

Mr. [REDACTED] was interviewed by phone on October 27, 2010. His verification form was received on November 26, 2010 (**enc. 5**). He reported that on October 21, 2010, at approximately 2:15 PM, he was standing in front of 147-15 Northern Blvd, in Queens. He was with two other individuals, waiting for a friend to exit the building. PO Mezzoiuso and PO [REDACTED] (both identified by investigation), approached Mr. [REDACTED] and showed him their shields. The officers asked Mr. [REDACTED] what he was doing outside and if he lived in the building. Mr. [REDACTED] told the officers that he lived next door and was waiting for a friend to exit the building.

The officers stated that they had to search Mr. [REDACTED] but did not explain why. Mr. [REDACTED] stated, "You can search me," because he felt that he had no choice but to comply. PO [REDACTED] searched Mr. [REDACTED] front and back pants pockets and PO Mezzoiuso frisked Mr. [REDACTED] pants pockets. Both officers frisked and then searched Mr. [REDACTED] jacket pockets. They asked Mr. [REDACTED] if he had any prior arrests, and he told them that he had some previous misdemeanors. The officers asked for Mr. [REDACTED] ID, which he provided. PO Mezzoiuso wrote down Mr. [REDACTED] information on a piece of paper. Mr. [REDACTED] asked the officers for their shield numbers. The officers looked at Mr. [REDACTED] and then walked away without answering his request. He was not arrested or issued a summons. The officers entered a black unmarked sedan and left the location.

Attempts to Contact Civilians/Obtain Surveillance Footage

- Mr. [REDACTED] informed the CCRB that he knew three civilian witnesses, but he refused to provide their contact information (**enc. 5**).
- The undersigned searched for businesses near the incident location that might have kept surveillance footage. A gas station across the street was identified, and the undersigned contacted the manager on November 15, 2010. The manager reported that they did not keep surveillance footage. Additionally, there were no TARU cameras near the location (**enc. 14**).

NYPD Statement(s):

Subject Officer: PO [REDACTED]

- [REDACTED]
- [REDACTED]

Subject Officer: PO GIANFRANCO MEZZOIUSO

- [REDACTED]
- *October 21, 2010, 9:30 AM to 6:05 PM, Queens North Anti-Crime, with PO [REDACTED] Vehicle number 673 (unmarked black Crown Victoria), plainclothes.*

[REDACTED] PO Mezzoiuso was interviewed at the CCRB on March 24, 2011 (**enc. 7**). They had no relevant memo book entries. They had no recollection of the incident date or the stop of Mr. [REDACTED] even after being shown the corresponding stop and frisk reports and provided with the details of the incident.

NYPD Document(s)

Stop and Frisk Reports

- The stop and frisk report for [REDACTED] was filled out by PO [REDACTED] (**enc. 9**). The stop occurred at 11:45 AM, for five minutes, in front of 147th Street and Northern Boulevard. Officers observed [REDACTED] for two minutes before stopping him on suspicion of burglary. His movements were furtive, indicative of casing a location, and indicative of acting as a lookout. The officers explained the stop and identified themselves verbally and with their shields. They frisked Mr. [REDACTED] because of his furtive movements. He was not searched. No one else was stopped. The additional factors for the stop and frisk were that Mr. [REDACTED] changed direction at the sight of officers and that he provided evasive, false, or inconsistent responses to the officers' questions.

SPRINTS

- No Sprints were generated for the incident (**enc. 8, 9**).

Status of Civil Proceedings

■ [REDACTED]
[REDACTED]

Civilian(s) Criminal History

- [REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]

Civilian's CCRB History

■ [REDACTED]

Subject Officers' CCRB Histories

- [REDACTED]
[REDACTED] PO Mezzoiuso has been a member of the service for six years and there are no substantiated CCRB allegations against him (**enc. 1**).

Conclusion

Identification of Subject Officer(s)

- PO [REDACTED] filled out the stop and frisk report for Mr. [REDACTED] and was partnered only with PO Mezzoiuso. Since Mr. [REDACTED] alleged that both officers stopped, frisked, and searched him, as well as refused to provide their shield numbers, these allegations are pled against PO [REDACTED] and PO Mezzoiuso.

Investigative Findings and Recommendations

[REDACTED]
Allegation B- Abuse of Authority: PO Gianfranco Mezzoiuso stopped [REDACTED]

[REDACTED]
Allegation D- Abuse of Authority: PO Gianfranco Mezzoiuso frisked [REDACTED]

[REDACTED]
Allegation F- Abuse of Authority: PO Gianfranco Mezzoiuso searched [REDACTED]

[REDACTED]
Allegation H- Abuse of Authority: PO Gianfranco Mezzoiuso refused to provide [REDACTED]
[REDACTED] **with his shield number.**

Mr. [REDACTED] alleged that PO [REDACTED] and PO Mezzoiuso stopped, frisked and searched him, and then refused to provide him with their shield numbers. Neither officer recalled the incident and Mr. [REDACTED] refused to provide the contact information for any of the witnesses. Absent any additional evidence, it is unknown whether the stop and frisk of Mr. [REDACTED] was justified, or whether or not he was searched or if the officers identified themselves. It is therefore recommended that **Allegations A, B, C, D, E, F, G and H** be closed as **unsubstantiated**.

[REDACTED]
[REDACTED]

Allegation J – Other – Failure to prepare a memo book entry: PO Gianfranco Mezzoiuso failed to prepare a memo book entry as required.

The UF250, which was prepared by PO [REDACTED] indicated that Mr. [REDACTED] was stopped and frisked. PO [REDACTED] and PO Mezzoiuso failed to prepare a memo book entry indicating that they had stopped and frisked Mr. [REDACTED] as required under Patrol Guide procedure 212-08. It is recommended that PO [REDACTED] and PO Mezzoiuso be cited for other misconduct.

Team: __4__

Investigator:	_____	_____	__08/10/11__
	Signature	Print	Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date